Case Number 2022LA000684

Date: 5/26/2022 4:17 PM

Thomas McRae

Clerk of Circuit Court

Third Judicial Circuit, Madison County Illinois

IN THE CIRCUIT COURT OF MADISON COUNTY THIRD JUDICIAL CIRCUIT STATE OF ILLINOIS

SANDRA (COPE)
Plai	ntiff,	2022LA000684
VS.) Case No.:
DOLLAR (GENERAL STORES, LLC	JURY TRIAL DEMANDED
SERVE:	Illinois Corporation Service Co. 801 Adlai Stevenson Drive Springfield, IL 62703))))
and) }
DG RETAI	L, LLC	\
SERVE:	Illinois Corporation Service Co. 801 Adlai Stevenson Drive Springfield, IL 62703)))
JOHN DOE, DOLLAR GENERAL STORE MANAGER,)))
Defe	endants.	ý

COMPLAINT FOR PERSONAL INJURY AND DEMAND FOR JURY TRIAL

COMES NOW Plaintiff Sandra Cope and for her cause of action against Defendant Dollar Corporation states as follows:

- 1. Plaintiff is and was at all relevant times a resident of Madison County, Illinois.
- 2. Defendant Dollar General Stores, LLC is and was at all relevant times a corporation duly organized and existing at law, that owned and/or operated the Dollar General Store No. 9794 at 405 Broadway, South Roxana, Madison County, Illinois, and was doing business in Madison County, Illinois.



- 3. DG Retail, LLC is and was at all relevant times a corporation duly organized and existing at law, that owned and/or operated the Dollar General Stores No. 9794 at 405 Broadway, South Roxana, Madison County, Illinois, and was doing business in Madison County, Illinois. (Defendants Dollar General Stores, LLC and DG Retail, LLC are hereinafter referred to collectively as "Dollar General").
- 4. Defendant John Doe is and was at all relevant times a resident of the State of Illinois and was the Manager of the Dollar General Store No. 9794 in South Roxana, Illinois, and was responsible for the maintenance, signage, condition and fitness of the parking lot and adjacent unpaved area. The actual name of the John Doe Defendant will be added when his or her identity is discovered.
- 5. On or about May 13, 2021, Plaintiff was on the premises of the Dollar General Store at 405 Broadway, South Roxana, Illinois and was a customer and business invitee of Dollar General at that time and location.
- 6. In front of and adjacent to the Dollar General Store, Defendant Dollar General owned, kept and/or maintained a parking lot on the premises, for customers of the store to use when shopping at that store location, and owned, kept and/or maintained an unpaved area adjacent to the parking lot. Defendant John Doe was an employee and general manager of the Dollar General Store and was at all times acting within the scope of his employment with Dollar General, such that his acts and/or omissions are attributable to Dollar General under respondeat superior.
- 7. On the aforesaid date, Plaintiff parked her car in the parking lot at a space marked for parking by Defendant Dollar General that was next to an unpaved area adjacent to the parking lot.

 Unknown to Plaintiff, there was a drop off from the asphalt parking lot to the ground adjacent to

the parking lot, that was not marked or fenced and not open, obvious or apparent to customers of Defendants' Dollar General's store.

- 8. Plaintiff had made her purchases, was putting her bag of purchased items in the back seat of her car and was injured when she was caused to fall when her foot slipped off the asphalt of the driveway down to the adjacent unpaved area adjacent to the parking lot. Plaintiff fell and suffered injury.
- 9. Defendant Dollar General and John Doe, as general manager of the Dollar General Store in South Roxana, owed a duty to the public in general and to Plaintiff in particular to properly design, maintain, and post appropriate warnings as to dangers on, the premises of the Dollar General Store in South Roxana.
- 10. Defendant Dollar General and Defendant John Doe were careless and negligent in the creation, maintenance and operation of the parking area at its South Roxana location in the following respects:
 - a. Allowed a condition to exist in the parking lot where there was a drop-off from the paved parking lot down to the adjacent unpaved area, creating an unsafe condition for those customers using the parking lot in that area;
 - b. Failed to warn Plaintiff of the drop off or the danger created by the drop off;
 - c. Failed to erect a barrier, fence, or some other structure to prevent customers from stepping into the drop off; In following too closely, and
 - d. Failed otherwise to exercise due care with respect to the area of the parking lot where the Plaintiff fell as alleged in the Complaint.
- 11. As a result of the incident, Plaintiff suffered injuries to her head, neck, and back and knees.

- 12. Plaintiff's injuries are permanent and progressive.
- 13. As a direct result of the aforesaid negligence, Plaintiff incurred substantial expenses for medical care and will incur substantial expenses in the future; has and will suffer pain, suffering and loss of enjoyment of life, and has in the past and will in the future suffer lost wages and a diminution of his earning capacity.

WHEREFORE, Plaintiff prays for a judgment against Defendants Dollar General Stores, LLC and DG Retail, LLC and John Doe Defendant in an amount that is fair and reasonable, and for such further and different relief as the Court deems proper.

JURY TRIAL DEMANDED

Plaintiff demands a jury trial on all matters herein.

Respectfully submitted,

BUCHANAN, WILLIAMS & O'BRIEN, P.C.

James V. O'Brien, #3127548

Andrew \$. Buchanan, Bar #6278996

2240 S. Brentwood Blvd. Brentwood, MO 63144

Telephone: 314-862-6865 FAX: 314-726-6488

E-Mail: jobrien@bwoattorneys.com

abuchanan@bwoattorneys.com

Attorneys for Plaintiff

May 31, 2022

IN THE CIRCUIT COURT FOR THE THIRD JUDICIAL CIRCUIT MADISON COUNTY, ILLINOIS

CASE NUMBER: 2022 LA 000684

SANDRA COPE

Plaintiff(s)

VS.

DOLLAR GENERAL STORES:LLC

Defendant(s)



ASSIGNMENT ORDER

The above case is hereby assigned to the Honorable CHRISTOPHER P. THRELKELD for setting and disposition.

Clerk to send copies of this Order to the attorneys of record and any pro-se party.

DATE: May 31, 2022

s/Bill Mudge Chief Judge

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. For Court Use Only STATE OF ILLINOIS, **CIRCUIT COURT** SUMMONS COUNTY Madison Instructions **▼** SANDRA COPE Enter above the county name where the case Plaintiff / Petitioner (First, middle, last name) was filed. Enter your name as Plaintiff/Petitioner. Enter the names of all people you are suing as DOLLAR GENERAL STORES, LLC, DG RETAIL, LLC, et: 2022LA000684 Defendants/ Defendant / Respondent (First, middle, last name) Case Number Respondents. Enter the Case Number given by the Circuit Alias Summons (Check this box if this is not the 1st Clerk. Summons issued for this Defendant.) There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: illinoiscourts gov/documents-andforms/approved-forms/. E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an efiling service provider. Visit efile illinoiscourts gov/service-providers htm to learn more and to select a **IMPORTANT** service provider. If you need additional help or have trouble e-filing, visit illinoiscourts.gov/faq/gethelp.asp INFORMATION: or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit illinoislegalaid.org. Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at illinoislegalaid.org. Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the Eviction Summons, Small Claims Summons, or Summons Petition for Dissolution of Marriage / Civil Union available at illinoiscourts gov/documents-and-forms/approved-forms. If your case is a detinue or replevin, visit Plaintiff/Petitioner: illinoislegalaid.org for help. If you are suing more than 1 Defendant/Respondent, fill out a Summons form for each Defendant/Respondent. Defendant/Respondent's address and service information: In 1a, enter the name and address of a Defendant/Respondent's primary address/information for service: Defendant/ Name (First, Middle, Last): DOLLAR GENERAL STORES, LLC Respondent. If you are Registered Agent's name, if any: Illinois Corporation Service Co. serving a Registered Agent, include the Street Address, Unit #: 801 Adlai Stevenson Drive Registered Agent's City, State, ZIP: Springfield, IL 62703 name and address here. Email: If you have more than one address where Defendant/Respondent might be found, In 1b, enter a second address for Defendant/ list that here: Respondent, if you Name (First, Middle, Last): have one. Street Address, Unit #: City, State, ZIP: Email: In 1c, check how you Telephone: are sending your Method of service on Defendant/Respondent: documents to ✓ Sheriff ☐ Sheriff outside Illinois: Defendant/

County & State

☐ Licensed private detective

Special process server

Respondent.

In 2, enter the amount	2. Information about the lawsuit:		
of money owed to you.	Amount claimed: \$		
	Amount Gainled. 3		
In 3, enter your complete address,	3. Contact information for the Plaintiff/Petitioner:		
telephone number, and			
email address, if you	Street Address, Unit #: 2240 S. Brentwood Blvd.		
have one.	City, State, ZIP: Brentwood, MO 63144		
	Telephone: (314) 862-6865 Email: jobrien@bwoattorneys.com		
	relephone. (314) 602-6000 Email: jobilen@owoaltomeys.com		
GETTING COURT DO every day. If you do not	DCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check check your email every day, you may miss important information, notice of court dates, or documents from other parties.		
Important information for the person getting this form	You have been sued. Read all of the documents attached to this Summons. To participate in the case, you must follow the instructions listed below. If you do not, the court may decide the case without hearing from you and you could lose the case. Appearance and Answer/Response forms can be found at: illinoiscourts.gov/documents-and-forms/approved-forms/ .		
Check 4a or 4b. If	4. Instructions for person receiving this Summons (Defendant):		
Defendant/Respondent	✓ a. To respond to this Summons, you must file Appearance and Answer/Response		
only needs to file an	forms with the court within 30 days after you have been served (not counting the day		
Appearance and Answer/Response	of service) by e-filing or at:		
within 30 days, check	· · ·		
box 4a. Otherwise, if	Address: 155 N. Main St.		
the clerk gives you a court date, check box	City, State, ZIP: Edwardsville, IL 62025		
4 b.	b. Attend court:		
In 4a, fill out the	On: at		
address of the court	Date Time Courtroom		
building where the Defendant may file or	In-person at:		
e-file their			
Appearance and	Courthouse Address City State ZIP		
Answer/ Response.	OR		
In 4b, fill out: •The court date and	Remotely (You may be able to attend this court date by phone or video conference.		
time the clerk gave	This is called a "Remote Appearance"):		
you.	By telephone:		
•The courtroom and address of the court	Call-in number for telephone remote appearance		
building.	By video conference: Video conference website		
•The call-in or video	Aldeo collielatica Menzila		
information for	Video conference log-in information (meeting ID, password, etc.)		
remote appearances (if applicable).	, , , , , , , , , , , , , , , , , , ,		
•The clerk's phone	Call the Circuit Clerk at: or visit their website		
number and website. All of this information	Circuit Clerk's phone number		
is available from the	at: to find out more about how to do this.		
Circuit Clerk.	Website		
	ADISON ADISON		
STOP!	Witness this Date: 6/1/2022		
The Circuit Clerk will fill in this section.	Clerk of the Court:/s/ Thomas McRae/s/ Ginger Toolen		
	CIEIN OF THE COURT.		
STOP!	This Summons must be served within 30 days of the witness date.		
The officer or process server will fill in the	SIO		
Date of Service.	Date of Service:		
	(Date to be entered by an officer or process server on the copy of this Summons left		

with the Defendant or other person.)

Case 3:22-cv-01524-MAB Document 1-1 Filed 07/14/22 Page 8 of 13 Page ID #12 This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

STATE OF ILLINOIS, CIRCUIT COURT		PROOF OF SERVICE OF	For Court Use Only
_	COUNTY	SUMMONS AND COMPLAINT/PETITION	
Instructions			
Enter above the county name where the case was filed.	SANDRA COF	PE Ioner (First, middle, last name)	
Enter your name as Plaintiff/Petitioner.			
Enter the names of all people you are suing as Defendants/ Respondents.		ERAL STORES, LLC, DG RETAIL, LLC, et espondent (First, middle, last name)	
Enter the Case Number given by the Circuit Clerk.	_	I mons (Check this box if this is not the 1 st ed for this Defendant.)	2022LA000684 Case Number
Stop. E	o not complete	the form. The sheriff or special process se	rver will fill in the form.
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Male		First, Middle, Lest Non-Binary Approx. Age:	Race:
Addre	ss:	at this time:	

Case 3:22-cv-01524-MAB Document 1-1 Filed 07/14/22 Page 9 of 13 Page ID #13 Enter the Case Number given by the Circuit Clerk: 2022LA000684 I was not able to serve the Summons and Complaint/Petition on Defendant/Respondent:

First	, Middle, Last	· · · · · · · · · · · · · · · · · · ·			
l ma	ade the following	ng attempts to se	rve the Summons and Compla	int/Petition on the Defend	ant/Respondent:
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Case 3:22-cv-01524-MAB Document 1-1 Filed 07/14/22 Page 10 of 13 Page ID #14 This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts. For Court Use Only STATE OF ILLINOIS. CIRCUIT COURT SUMMONS **COUNTY** Madison Instructions -SANDRA COPE Enter above the county name where the case Plaintiff / Petitioner (First, middle, last name) was filed. Enter your name as Plaintiff/Petitioner. ٧. Enter the names of all people you are suing as DOLLAR GENERAL STORES, LLC, DG RETAIL, LLC, et: 2022LA000684 Defendants/ Defendant / Respondent (First, middle, last name) Case Number Respondents. Enter the Case Number given by the Circuit Alias Summons (Check this box if this is not the 1st Clerk. Summons issued for this Defendant.) There may be court fees to start or respond to a case. If you are unable to pay your court fees, you can apply for a fee waiver. You can find the fee waiver application at: illinoiscourts gov/documents-andforms/approved-forms/. E-filing is now mandatory with limited exemptions. To e-file, you must first create an account with an efiling service provider. Visit efile illinoiscourts gov/service-providers htm to learn more and to select a **IMPORTANT** service provider. If you need additional help or have trouble e-filing, visit illinoiscourts.gov/faq/gethelp.asp INFORMATION: or talk with your local circuit clerk's office. If you cannot e-file, you may be able to get an exemption that allows you to file in-person or by mail. Ask your circuit clerk for more information or visit illinoislegalaid.org. Call or text Illinois Court Help at 833-411-1121 for information about how to go to court including how to fill out and file forms. You can also get free legal information and legal referrals at illinoislegalaid.org. Do not use this form in an eviction, small claims, detinue, divorce, or replevin case. Use the Eviction Summons, Small Claims Summons, or Summons Petition for Dissolution of Marriage / Civil Union available at illinoiscourts.gov/documents-and-forms/approved-forms. If your case is a detinue or replevin, visit Plaintiff/Petitioner: illinoislegalaid.org for help. If you are suing more than 1 Defendant/Respondent, fill out a Summons form for each Defendant/Respondent. Defendant/Respondent's address and service information: In 1a, enter the name and address of a Defendant/Respondent's primary address/information for service: Defendant/ Name (First, Middle, Last): DG RETAIL, LLC Respondent. If you are Registered Agent's name, if any: Illinois Corporation Service Co. serving a Registered Agent, include the Street Address, Unit #: 801 Adlai Stevenson Drive Registered Agent's City, State, ZIP: Springfield, IL 62703 name and address here. Email: If you have more than one address where Defendant/Respondent might be found, In 1b, enter a second address for Defendant/ list that here: Respondent, if you Name (First, Middle, Last): have one. Street Address, Unit #: City, State, ZIP: Email: In 1c, check how you Telephone: are sending your Method of service on Defendant/Respondent: documents to

Sheriff

Special process server

Sheriff outside Illinois:

County & State

Licensed private detective

Defendant/

Respondent.

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In 2, enter the amount of money owed to you.	2. Information about the lawsuit:
of money owed to you.	Amount claimed: _\$
In 3, enter your	3. Contact information for the Plaintiff/Petitioner:
complete address, telephone number, and	
email address, if you	}
have one.	Street Address, Unit #: 2240 S. Brentwood Blvd.
	City, State, ZIP: Brentwood, MO 63144
	Telephone: (314) 862-6865 Email: jobrien@bwoattomeys.com
GETTING COURT DO every day. If you do not	DCUMENTS BY EMAIL: You should use an email account that you do not share with anyone else and that you check check your email every day, you may miss important information, notice of court dates, or documents from other parties.
Important	You have been sued. Read all of the documents attached to this Summons.
information for the	To participate in the case, you must follow the instructions listed below. If you do not, the court may decide
person getting this	the case without hearing from you and you could lose the case. Appearance and Answer/Response forms can
form	be found at: illinoiscourts.gov/documents-and-forms/approved-forms/.
Check 4a or 4b. If	4. Instructions for person receiving this Summons (Defendant):
Defendant/Respondent	
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Appearance and Answer/Response	forms with the court within 30 days after you have been served (not counting the day
within 30 days, check	of service) by e-filing or at:
box 4a. Otherwise, if	Address: 155 N. Main St.
the clerk gives you a court date, check box	City, State, ZIP: Edwardsville, IL 62025
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Defendant may file or	in-person an
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In 4b, fill out:	Remotely (You may be able to attend this court date by phone or video conference.
•The court date and	This is called a "Remote Appearance"):
time the clerk gave	By telephone:
•The courtroom and	Call-in number for telephone remote appearance
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(if applicable). •The clerk's phone	Call the Circuit Clerk at: or visit their website
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is available from the Circuit Clerk.	Website Website
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The Circuit Clerk will	Witness this Date: 6/1/2022
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with the Defendant or other person.)

This form is approved by the Illinois Supreme Court and is required to be accepted in all Illinois Circuit Courts.

For Court Use Only

STATE OF II CIRCUIT O	•	PROOF OF SERVICE OF SUMMONS AND	For Court Use Only	
Madison	COUNTY	COMPLAINT/PETITION		
Instructions				
Enter above the county name where the case was filed.	SANDRA COF	PE Noner (First, middle, last name)		
Enter your name as Plaintiff/Petitioner.				
Enter the names of all people you are suing as Defendants/ Respondents.		IERAL STORES, LLC, DG RETAIL, LLC, et		
Enter the Case Number given by the Circuit Clerk.	Alias Sun	espondent (First, middle, last name) nmons (Check this box if this is not the 1 st led for this Defendant.)	2022LA000684 Case Number	
Stop. D	o not complete	the form. The sheriff or special process se	rver will fill in the form.	
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			is served by licensed private denber:	etective or private d	Deputy Clerk ADISO